

**Amendments to the Claims:**

The listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A travel control device for a hydraulically driven vehicle, comprising:

a hydraulic pump driven by a prime mover;

a target rotation speed command device that issues a command for a target rotation speed of the prime mover;

a traveling motor driven with pressure oil delivered from the hydraulic pump;

a control valve for traveling that controls a flow rate of the pressure oil delivered from the hydraulic pump to the traveling motor;

a counterbalance valve switched in response to a motor load pressure supplied via the control valve, that generates a braking pressure at a conduit disposed on a return side of the traveling motor as the load pressure becomes lower;

a rotation speed detection device that detects a rotation speed of the traveling motor;

an overspeed detection ~~means for detecting~~ device that detects an

overspeed state in the traveling motor if the motor rotation speed detected by the rotation speed detection device is equal to or greater than a predetermined value;  
and

a motor overspeed inhibiting ~~means for inhibiting~~ device that inhibits rotation of the traveling motor, if the overspeed detection ~~means~~ device detects an overspeed state in the traveling motor and a command value issued from the target rotation speed command device is equal to or greater than a predetermined value, until a braking pressure is generated through a switchover at the counterbalance valve and the traveling motor is no longer in the overspeed state.

2. (Canceled).

3. (Currently Amended) A travel control device for a hydraulically driven vehicle ~~according to claim 1,~~ further comprising:

a hydraulic pump driven by a prime mover;

a target rotation speed command device that issues a command for a target rotation speed of the prime mover;

a traveling motor driven with pressure oil delivered from the hydraulic pump;

a control valve for traveling that controls a flow rate of the pressure oil

delivered from the hydraulic pump to the traveling motor;

a counterbalance valve switched in response to a motor load pressure supplied via the control valve, that generates a braking pressure at a conduit disposed on a return side of the traveling motor as the load pressure becomes lower;

an acceleration detection means for detecting device that detects an acceleration of the traveling motor, wherein: motor;

the overspeed detection means detects the overspeed state when the motor speed is equal to or higher than a specific level and the motor acceleration detected by the acceleration detection means is equal to or greater than a predetermined value.

an overspeed detection device that detects an overspeed state in the traveling motor if the motor speed is equal to or higher than a specific level and the motor acceleration detected by the acceleration detection device is equal to or greater than a predetermined value; and

a motor overspeed inhibiting device that inhibits rotation of the traveling motor, if the overspeed detection device detects an overspeed state in the traveling motor and a command value issued from the target rotation speed command device is equal to or greater than a predetermined value, until a braking pressure is generated through a switchover at the counterbalance valve and the traveling motor is no longer in the overspeed state.

4. (Currently Amended) A travel control device for a hydraulically driven vehicle according to ~~claim 2~~ claim 1, wherein:

the motor overspeed inhibiting ~~means~~ device is a prime mover rotation speed reducing ~~means for reducing~~ device that reduces a rotation speed of the prime mover to a greater extent when the detected motor rotation speed is at a higher level.

5. (Currently Amended) A travel control device for a hydraulically driven vehicle according to ~~claim 2~~ claim 1, wherein:

the hydraulic pump is a variable displacement hydraulic pump; and

the motor overspeed inhibiting ~~means~~ device is a pump displacement angle reducing ~~means for reducing~~ device that reduces a displacement angle of the hydraulic pump to a greater extent when the detected motor rotation speed is at a higher level.

6. (Currently Amended) A hydraulically driven vehicle that comprises a drive control device, wherein:

the travel control device comprises:

a hydraulic pump driven by a prime mover;

a target rotation speed command device that issues a command for a

target rotation speed of the prime mover;

a traveling motor driven with pressure oil delivered from the hydraulic pump;

a control valve for traveling that controls a flow rate of the pressure oil delivered from the hydraulic pump to the traveling motor;

a counterbalance valve switched in response to a motor load pressure supplied via the control valve, that generates a braking pressure at a conduit disposed on a return side of the traveling motor as the load pressure becomes lower;

a rotation speed detection device that detects a rotation speed of the traveling motor;

an overspeed detection ~~means for detecting~~ device that detects an overspeed state in the traveling motor if the motor rotation speed detected by the rotation speed detection device is equal to or greater than a predetermined value; and

a motor overspeed inhibiting ~~means for inhibiting~~ device that inhibits rotation of the traveling motor, if the overspeed detection ~~means~~ device detects an overspeed state in the traveling motor and a command value issued from the target rotation speed command device is equal to or greater than a predetermined value, until a braking pressure is generated through a switchover

at the counterbalance valve and the traveling motor is no longer in the overspeed state.

7. (Currently Amended) A travel control device for a hydraulically driven vehicle according to claim 3, wherein:

the motor overspeed inhibiting ~~means~~ device is a prime mover rotation speed reducing ~~means for reducing~~ device that reduces a rotation speed of the prime mover to a greater extent when the detected motor acceleration is at a higher level.

8. (Currently Amended) A travel control device for a hydraulically driven vehicle according to claim 3, wherein:

the hydraulic pump is a variable displacement hydraulic pump; and  
the motor overspeed inhibiting ~~means~~ device is a pump displacement angle reducing ~~means for reducing~~ device that reduces a displacement angle of the hydraulic pump to a greater extent when the detected motor acceleration is at a higher level.